

Pat Livingston  
b260.00 more order  
Becky Cover

March 24, 2014

From: Mark Ovard  
P.O. Box 636  
Crystal River, Florida 34429  
(352) 445-0935

To: Heather McTeer Toney  
Southeast Region 4 Director  
Environmental Protection Agency  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

Kimberly L. Bingham  
Heather McTeer Toney  
Southeast Region 4 Director  
Environmental Protection Agency  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

Re: Request/Demand for records & copies

Dear Ms. Toney and Ms. Bingham,

This request is made to Director Toney to avoid any claim this request/demand was made to the wrong person. This is both a request and demand both as a Respondent to a case against him by the United States Environmental Protection Agency and as a records request and demand otherwise. I respectfully request/demand true and correct copies of the following:

**1. Request for true and correct copy of "glycol.html" page for each of the 3 dates of the alleged violation.**

I have never been provided a copy of the page glycol.html referenced in the the March 12, 2014 to me from Kimberly L. Bingham nor was aware of its existence until receiving here letter, at which time I used a FTP program to delete the page. That page was not readily viewable on my website software as it was apparently built on outdated Navigator software. However, viewing a page is not necessary to delete a page. Of equal importance, what glycol.html looked like on March 13, 2014 is irrelevant anyway as those are not alleged dates.

I am limited as to what response I can give for allegations concerning webpages I never saw. The March 12, 2015 letter from Kimberly L. Bingham, Chief, Pesticides Section, Region 4 of the U.S. Department of Environmental Protection refers to 3 different occasions, and therefore 3 different versions of the page glycol/html:

On or before May, 5 2009 (specific date not identified)  
August 21, 2012 (time not specified)  
March 4, 2014 (time not specified)

Website pages are not permanent as are books. They can be changed at any time by anyone with access to the website. When changed, the previous copy of the page is overwritten and erased. I have no means to see what was on a page I never knew existed or have any way to obtain a copy of what does not currently exist and was erased.

This is a specific request for a copy of each of the three alleged "glycol.html" pages for each of those 3 dates as stated in Ms. Bingham's letter.

**2. Request for a true and correct copy of the 2009 Inspector's report referenced in Ms. Bingham's letter to me on March 12, 2014 and everything in the inspector's file concerning the case in any manner, his investigation in any manner, including a print out of any electronic communications and electronic records of the case.**

Virtually all my records were lost in a fire last year. Documentation of the fire could be obtained including a State Fire Marshall's report, which I would have to request.

**3. Please provide a complete copy of every page and written item the inspector's report and all communications between and to that inspector by everyone and anyone concerning his investigation and myself, plus any writing, notes, memorandums and communications of any kind, including a print out of any and all electronic communications, plus and all electronic records.**

**NOTE: I am requesting more than a complete copy of inspector's report. I am also requesting all communications to him, from him, and everything in his case file including all notes, memorandum and every other written thing, including a hard copy of any and all electronic communications**

**4. A complete copy of the case file for the case against me as referenced in Ms. Bingham's March 12, 2014 letter to me. This includes all notes, memorandums, any and all other written items and communications concerning this case held by the E.P.A. or obtainable by the E.P.A. without exception.**

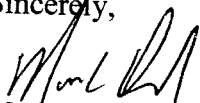
**Enclosed is a United States Post Office money to cover any copy fees in the amount of \$200.00. If the funds are not sufficient, provide as many pages as the funds pay for and advise of the remaining balance due. If the \$200.00 is in excess, please hold the balance in escrow pending additional requests.**

**URGENCY:**

With only approximately 10 days (possibly) remaining before they Respondent must make a determination of whether to file an appeal/review to an Administrative judge, and if so to prepare and have filed for an appeal/review with the Clerk's Office for the Administrative Judges of the E.P.A., there is a great urgency to the above requests.

Reasonably, the copies of the glycol.html pages should have been provided to me initially.

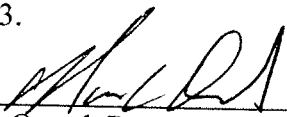
Sincerely,



Mark Ovard

## Certificate of Service

The Respondent, Mark Ovard, herein states that on March 25, 2014 he mailed a true and correct copy of the foregoing by certified mail, return receipt requested to the above named Heather McTeer Toney and Kimberly L. Bingham of the United States Environmental Protection Agency, Region 4, at the address of the Environmental Protection Agency, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, GA 30303.

  
Mark Ovard, Respondent

Signed on March 25, 2014